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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/381,526	04/12/2000	MARCEL AESCHLIMANN	41-303-3	4076		
7609	7590 05/06/2002					
RANKIN, HILL, PORTER & CLARK, LLP 700 HUNTINGTON BUILDING 925 EUCLID AVENUE			EXAMINER			
			GALLAGHER, JOHN J			
CLEVELAND	O, OH 44115-1405		ART UNIT	PAPER NUMBER		
			1733	17-		

Please find below and/or attached an Office communication concerning this application or proceeding.





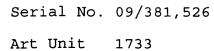
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Application No. O9/38/4C6 Applicant(s)

Office Action Commissions	9 7 00					
Office Action Summary	Examiner		,	Group Art Unit		
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eriod for Reply		_				
SHORTENED STATUTORY PERIOD FOR REPLY IS SET THIS COMMUNICATION.	TO EXPIRE	3	_ MONTH(S) FROM THE MA	ILING DATE	
 Extensions of time may be available under the provisions of 37 CFI from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, such period shall, by defa Failure to reply within the set or extended period for reply will, by st Any reply received by the Office later than three months after the m term adjustment. See 37 CFR 1.704(b). 	reply within the statu ult, expire SIX (6) MO catute, cause the app	tory minir NTHS fror lication to	num of thirty (3 n the mailing d become ABAN	80) days will be considate of this communic	dered timely. eation. 133).	
atus Responsive to communication(s) filed on	EBRUDE	2y (2002			
☐ This action is FINAL .					•	
☐ Since this application is in condition for allowance except accordance with the practice under Ex parte Quayle, 19			ecution as t	to the merits is c	losed in	
enseition of Claime						
✓ Claim(s)	is/are n	ending in the app	lication.			
• •			•	is/are withdrawn from consideration.		
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☐ Claim(s) 36 - 47	is/are n					
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pplication Papers			require			
☐ The proposed drawing correction, filed on	is 🗆 app	roved [disapprove	ed.		
☐ The drawing(s) filed on is/are objection	cted to by the Ex	aminer				
☐ The specification is objected to by the Examiner.						
☐ The oath or declaration is objected to by the Examiner.						
iority under 35 U.S.C. § 119 (a)–(d)						
Acknowledgement is made of a claim for foreign priority	under 35 U.S.C. §	119 (a)-	(d).			
	under 35 U.S.C. §	119 (a)-	(d).			
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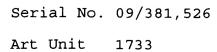
U.S. Patent and Trademark Office PTO-326 (Rev. 11/00)

Part of Paper No. _____



1. Before proceeding further, applicants should note that the terms "UV radiation/" in line 7 of paragraph 6 of the last Office action should read (and have read) "ultrasonic"; Examiner error (sloppy proofreading on his part) - mea culpa.

- 2. Claim 47 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Specifically, this claim is held NOT to further limit or define the STRUCTURE per se of the joining element as set forth in claim 36, but rather merely to recite an envisioned intended use or application for this element.
- 3. Claims 36-47 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically (a) it is noted that independent claims 36-37 do not limit themselves to the structure and definition of the joining element itself (as set forth in the respective preambles), but rather also recite further (i.e. base) structure, such that the claims as presented are seen to be improper hybrids; and (b) claim 46 line 2 insert "is" after "material".



4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5. Claims 36-38, 40 and 44-47 are rejected under 35
 U.S.C. § 102(b) as being (clearly) anticipated by any one of
 Eakins or Luth or the Japanese Hirakawa reference, all already of
 record (see paragraph 4 of the last Office action). All of the
 essential structural and constructional limitations of these
 claims are seen to be satisfied by any of these references, each
 of which is held to fairly document headed, heat activatable
 (i.e. plasticizable thermoplastic) joining elements (i.e. rivets)
 as envisioned and claimed by applicants. Further along this line
 (a) again note paragraph 3, above; and (b) applicants fail to
 indicate (N_B. page 5 lines 25-26 of the amendment) just how
 these claimed joining elements differ (i.e. patentably) from
 those disclosed in these three applied references.
- 6. In spite of the foregoing rejections, the Examiner feels that there is patentable subject matter present in this application at this point in the prosecution, as follows: (a) Method claims 23-35 appear to be allowable; and (b) the subject

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matter of article claims 37-39 and 41-43, as well as that illustrated in applicants' drawing Figure 2, appears to be patentable also, all of the foregoing with the (1) caveat that yet another updated search may uncover art more pertinent than that already of record; and (2) proviso that the matters as set forth in paragraphs 2-3, above, are satisfactorily resolved.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. Gallagher whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball, can be reached on (703) 308-2058. The fax phone number for this Group 876-93.0 is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661/0662.

JJGallagher:cdc

April 23, 2002

JOHN J. GALLAGHER PRIMARY EXAMINER ART UNIT 131 / 7 3